

*Application No. 10/786,221*

**REMARKS/ARGUMENTS**

Claims 1-5 and 12-18 stand rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent 5,214,688 (Szlam). Claims 6-9, 11, 19-22, 24, 25 are found to be obvious under U.S.C. 103(a) in view of Szlam. Examiner has indicated that claims 10 and 23 would be allowable if rewritten in independent form including all limitations of the base claim and intervening claims.

Independent claim 1 has been amended to include substantially the limitations of allowable dependent claim 10 and intervening dependent claim 2. Claims 2 and 10 are cancelled. Claims 3 and 5 are amended to depend from claim 1. Independent claim 14 has been amended to include substantially the limitations of allowable dependent claim 23 and intervening dependent claim 15. Claims 15 and 23 are canceled. Claims 16 and 18 are amended to depend from claim 14. Claims 4, 8, 21 and 17 are canceled. Claims 26-33 are new.

In view of the inclusion of above limitations in amended base claims 1 and 14, reconsideration of claims 3, 5-7, 9, 11-13, 16, 18-20, 21, 24 and 25 is respectfully requested.

Applicant respectfully traverses examiner's 103(a) obviousness rejection of claims 6, 7, 9, 11, 19, 20, 22, 24 and 25 over Szlam et al. Claims 6 and 19, 7 and 20, 9 and 22, 11 and 24 each recite similar inventions. Argument in favor of each pair of claims follows.

Claims 6 and 19 require a call duration timer to be started when a contact is directed or routed to an agent. Szlam et al disclose only an excess talk timer that is started when a call is actually connected to an agent. Szlam et al disclose a method

*Application No. 10/786,221*

measuring only the agent talk time. In contrast, the claimed invention is a measure of the total elapsed service time.

Claims 7 and 20 require a call duration timer to be started when a call is received by a communication device associated with an agent. Examples of such events include, but are not limited to, ringing of the agent's phone, notice of received email displayed on the agent's monitor, and instant message pop ups displayed on the agent's monitor. Initiating call duration timers from such events is not disclosed in the prior art. Modifying the excess talk timers disclosed in Szlam et al would not be obvious to those with ordinary skill in the art. Szlam et al disclose a method measuring only the agent talk time. In contrast the claimed invention is a measure of the total elapsed service time.

Claims 9 and 22 require a duration timer to be started when a non-real time contact is displayed graphically on a computational component associated with the agent. It is the non-real time nature of these two claims that distinguish them from the prior art. Szlam et al disclose an excess talk timer used to track the time an agent spends on a live telephone call. Such live calls inherently occur in real time. Unlike Szlam et al, the claimed invention further applies to non-real time contacts such as web submissions and email where an immediate response is not required. Szlam et al measure only agent talk time not elapsed contact service time.

Claims 11 and 24 require an agent to be notified that one or more call duration thresholds have been equaled or exceed. These methods include displaying a message graphically, playing a zip tone, providing an audible warning voice and illuminating a warning light. In addition to providing notice to the agent of excess elapsed time, these notifications also may inform the agent of the implications of excess time spent on a call and/or recommendations of actions to be taken. These notification methods are useful to the call center for achieving its customer service goals. This represents a substantial,


*Application No. 10/786,221*

nonobvious improvement over the prior art wherein the agent is notified of elapsed agent talk time only.

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: 

Brian J. Ignat  
Registration No. 57,174  
1560 Broadway, Suite 1200  
Denver, Colorado 80202-5141  
(303) 863-9700

Date: November 23, 2005